

REMARKS

Claims 1-12 are pending. By this Amendment, claim 11 is amended and claim 12 is added.

Applicants appreciate the courtesies extended by Examiner Rickman to Applicants' representative during the October 19, 2004 personal interview. The personal interview is summarized below and thus constitutes Applicants' record of the interview.

Claim 11 was rejected under 35 U.S.C. §112, second paragraph. By this Amendment, claim 11 has been amended to remove the objectionable language. It is respectfully requested that the rejection be withdrawn.

Claims 1-11 were rejected under 35 U.S.C. §103(a) over Maesaka et al. (Maesaka), U.S. Patent No. 6,596,418 in view of Kubota et al. (Kubota), U.S. Patent Application Publication No. 2002/0058159. The rejection is respectfully traversed.

Maesaka and Kubota fail to disclose or suggest a magnetic recording medium with both a soft magnetic layer which is formed on the substrate and which contains B and at least one element selected from the group consisting of Fe, Co, and Ni, and a seed layer which is formed adjacently on the soft magnetic layer and which contains B and one of Pd and Pt, as recited in claim 1.

Although Kubota discloses a soft magnetic layer that contains B and Maesaka may disclose a seed layer that contains B, neither of the applied references disclose or suggest both a soft magnetic layer and a seed layer that contain B.

As admitted on page 3 of the Office Action, Maesaka fails to disclose a soft magnetic layer that contains B and at least one element selected from the group consisting of Fe, Co and Ni. Fig. 3 of Maesaka discloses a soft magnetic layer 7, a base layer 4 and a recording layer 5. The base layer 4, allegedly corresponding to the seed layer of claim 1, contains B. The soft magnetic layer 7 uses several different materials. However, none of these materials

contain B and at least one element selected from the group consisting of Fe, Co, and Ni. (See col. 5, lines 46-54; col. 12, line 58 and col. 13, lines 22 and 23). As such, Maesaka suffers deficiencies as identified in paragraph 13, lines 15-28 of Applicants' specification.

Fig. 2 of Kubota discloses a recording layer 25, an interlayer 28 and a soft magnetic underlayer 19 that contains B, Fe and Co. However, the interlayer 28, which is the only layer that can correspond to the seed layer of claim 1, only includes a second tantalum layer (paragraph [0029], lines 13-16). Kubota does not disclose a seed layer that contains B and one of Pd and Pt. Kubota thus suffers deficiencies as identified in paragraph 13, lines 1-15 of Applicants' specification.

During the personal interview, the Examiner asserted that the motivation to combine the soft magnetic underlayer 19 of Kubota with the base layer 4 of Maesaka can be found in paragraphs [0004], [0005], [0012] and [0013] of Kubota. However, these paragraphs of Kubota discuss the advantages associated with only the soft magnetic underlayer. These paragraphs fails to provide any disclosure, suggestion or motivation with regard to using B in both a soft magnetic layer and a seed layer. Only hindsight reasoning exists to combine the soft magnetic underlayer 19 of Kubota with the base layer 4 of Maesaka.

The combination of features recited in claim 1 overcomes the deficiencies of both Maesaka and Kubota, as identified in paragraph 13 of Applicants' specification, because both the soft magnetic layer and the seed layer contain B. The advantages obtained when both the soft magnetic layer and the seed layer contain B is discussed in paragraph 12 of Applicants' specification. There is no disclosure or suggestion in Maesaka to use the soft magnetic layer of Kubota. Only hindsight reasoning can be used to suggest the combination in order to obtain the advantages as discussed in paragraph 12 while avoiding the disadvantages as discussed in paragraph 13. Table 1 on page 32 of Applicants' specification also illustrates the

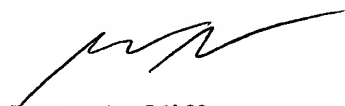
advantages associated with using B for both a soft magnetic layer and a seed layer over the conventional examples as used by Maesaka and Kubota.

In view of the foregoing, Maesaka and Kubota fail to disclose or suggest all of the features recited in claim 1 as well as the additional features recited in claims 2-11. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-12 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

Scott M. Schulte
Registration No. 44,325

JAO:SMS/sxb

Attachment:
Petition for Extension of Time

Date: October 28, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

| |
|--|
| <p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p> |
|--|